

# Resources

## TMA Privacy and Civil Liberties Office 2011 DATA PROTECTION SEMINAR

### Complying with the HIPAA Privacy and Security Rules

- Health Insurance Portability and Accountability Act (HIPAA) of 1996
- Health Information Technology for Economic and Clinical Health (HITECH) Act, enacted as part of the American Recovery and Reinvestment Act (ARRA) of 2009
- DoD 6025.18-R, “DoD Health Information Privacy Regulation”, January 24, 2003
- DoD 8580.02-R, “DoD Health Information Security Regulation”, July 12, 2007
- DoD Directive 8500.1, “Information Assurance”, October 24, 2002
- DoD Directive 8000.01, “Management of the Department of Defense Information Enterprise”, February 10, 2009
- DoD Instruction 8500.2, “Information Assurance (IA) Implementation”, February 6, 2003
- DoD Instruction 8510.01, “DoD Information Assurance Certification and Accreditation Process (DIACAP)”, November 28, 2007
- OMB Circular No. A-130, Revised, Transmittal No. 4, November 30, 2000
- DoD Manual 8910.1-M, “DoD Procedures for Management of Information Requirements”, June 30, 1998
- Frequently Asked Questions: <http://www.tricare.mil/tma/privacy/faqs.aspx>
- To subscribe to the TMA Privacy and Civil Liberties Office (Privacy Office) E-News go to: <http://www.tricare.mil/tma/privacy/maillinglist.aspx>
- E-mail [Privacymail@tma.osd.mil](mailto:Privacymail@tma.osd.mil) for subject matter questions

### Privacy Act: Protecting Personal Data in Systems of Records

- The Privacy Act of 1974, as amended (5 U.S.C. §552a)
- OSD Administrative Instruction No. 81, “OSD/Joint Staff (JS) Privacy Program”, November 20, 2009
- DoD 5400.11-R, “Department of Defense Privacy Program”, May 14, 2007
- OMB Memorandum 99-05, “Instructions on Complying with President’s Memorandum of May 14, 1998, ‘Privacy and Personal Information in Federal Records’”, January 7, 1999, Attachment B
- OMB Circular A-130, “Management of Federal Information Resources”, November 28, 2000
- Privacy Office Web site: <http://www.tricare.mil/tma/privacy/>
- Privacy Office Systems of Records Notice Web site: <http://www.tricare.mil/tma/privacy/SystemsofRecords.aspx>
- E-mail [SORmail@tma.osd.mil](mailto:SORmail@tma.osd.mil) for subject matter questions related to SORN
- E-mail [PrivacyOfficerMail@tma.osd.mil](mailto:PrivacyOfficerMail@tma.osd.mil) for subject matter questions related to the Privacy Act
- To subscribe to the Privacy Office E-News, go to: <http://www.tricare.mil/tma/privacy/maillinglist.aspx>

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### Privacy Act: Protecting Personal Data in Systems of Records (continued)

- E-mail [Privacymail@tma.osd.mil](mailto:Privacymail@tma.osd.mil) for subject matter questions

### Privacy Impact Assessments

- E-Government Act of 2002 § 208, December 17, 2002
- Office of Management and Budget Memorandum 03-22: OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002
- DoD Instruction 5400.16, “DoD Privacy Impact Assessment (PIA) Guidance”, February 12, 2009
- DD Form 2930, DoD PIA template
- E-mail [PIAmail@tma.osd.mil](mailto:PIAmail@tma.osd.mil) for subject matter questions
- <http://www.tricare.mil/tma/privacy/pias.aspx>
- DoD 5400.11-R, “DoD Privacy Program”, May 14, 2007
- DoD 6025.18-R, “DoD Health Information Privacy Regulation”, January 2003
- To subscribe to the Privacy Office E-News, go to:  
<http://www.tricare.mil/tma/privacy/maillinglist.aspx>

### Applying the Freedom of Information Act

- DoD Regulation 5400.7-R, “DoD Freedom of Information Act Program”, September 4, 1998
- “Freedom of Information Act (5 USC § 552) with Openness Promotes Effectiveness in our National (OPEN) Government Act of 2007”, December 12, 2007
- DoD Directive 5400.07, “DoD Freedom of Information Act Program”, January 2, 2008
- Presidential Memorandum for the Heads of Executive Departments and Agencies, “The Freedom of Information Act”, January 21, 2009
- Executive Order 13489, “Presidential Records”, January 21, 2009
- Attorney General Memorandum for the Heads of Executive Departments and Agencies, “The Freedom of Information Act”, March 19, 2009
- To subscribe to the Privacy Office E-News, go to:  
<http://www.tricare.mil/tma/privacy/maillinglist.aspx>
- E-mail [FOIARequests@tma.osd.mil](mailto:FOIARequests@tma.osd.mil) for subject matter questions

### New Developments in the Data Sharing Agreement Program

- DoD 6025.18-R, “DoD Health Information Privacy Regulation”, January 24, 2003
- DoD 8580.02-R, “DoD Health Information Security Regulation”, July 12, 2007
- DoD 5400.11-R, “DoD Privacy Program”, May 14, 2007

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### New Developments in the Data Sharing Agreement Program (continued)

- Privacy Office Web site: <http://www.tricare.mil/tma/privacy/default.aspx>
- To subscribe to the Privacy Office E-News, go to:  
<http://www.tricare.mil/tma/privacy/maillinglist.aspx>
- E-mail [DSA.mail@tma.osd.mil](mailto:DSA.mail@tma.osd.mil) for subject matter questions

### Assist Visit Program: Supporting Data Compliance

- DoD 6025.18-R, “DoD Health Information Privacy Regulation”, January 24, 2003
- DoD 5400.11-R, “DoD Privacy Program”, May 8, 2007
- DoD 8580.02-R, “DoD Health Information Security Regulation”, July 12, 2007
- Memorandum for “TRICARE Management Activity Surveillance Program”, January 22, 2009
- To subscribe to the Privacy Office E-News, go to:  
<http://www.tricare.mil/tma/privacy/maillinglist.aspx>
- E-mail [Privacyassistvisit@tma.osd.mil](mailto:Privacyassistvisit@tma.osd.mil) for Assist Visit Program questions

### What’s the Big Deal with Civil Liberties?

- Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110-53
- Section 804 of the 9/11 Act, the Federal Agency Data Mining Reporting Act of 2007
- DoD Directives
  - Organizational Placement and Structure of DoD Civil Liberties Officer (CLO) Functions, December 14, 2009
  - Protection of Civil Liberties in the DoD, OSD 12888-10, November 1, 2010
  - Action Memo from John H. Morse, Deputy Chief TMA Business Operations, Approving the Office Name “TMA Privacy and Civil Liberties Office”
- DoD 6025.18-R, “DoD Health Information Privacy Regulation”, January 2003
- DoD 8580.02-R, “DoD Health Information Security Regulation”, July 2007
- To subscribe to the Privacy Office E-News, go to:  
<http://www.tricare.mil/tma/privacy/maillinglist.aspx>

### Migrating to a Records Management Application

- 36 CFR Subchapter B, Records Management, November 2, 2009
- OMB Circular A-130, “Management of Federal Information Resources”, November 28, 2000
- DoD Networks and Information Integration Memorandum, “Electronic Mail Records and Electronic Mail Retention Policies for the Department of Defense”, May 22, 2005

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### Migrating to a Records Management Application (continued)

- DoD 5015.2-STD, “Electronic Records Management Software Applications Design Criteria Standard”, April 25, 2007
- WHS Administrative Instruction 15 (AI-15) Volume I, “Records Management Program - Administrative Procedures”, April 18, 2008
- WHS AI-15 Volume II, “Records Management Program - Records Disposition Schedules”, April 18, 2008
- Joint Interoperability Test Command: <http://jitic.fhu.disa.mil/recmgt/index.html>
- E-mail [Elizabeth.Bomgardner@tma.osd.mil](mailto:Elizabeth.Bomgardner@tma.osd.mil) for subject matter questions
- To subscribe to the Privacy Office E-News, go to:  
<http://www.tricare.mil/tma/privacy/maillinglist.aspx>

### Social Media

- DoD 6025.18-R, “DoD Health Information Privacy Regulation”, January 2003
- DoD 8580.02-R, “DoD Health Information Security Regulation”, July 2007
- DoD DTM 09-026, “Responsible and Effective Use of Internet-based Capabilities”, February 25, 2010
- DoD Directive 5400.07, “DoD Freedom of Information Act Program”, January 2, 2008
- TMA Privacy and Civil Liberties Office (Privacy Office) Information Paper “Social Networking Overview”, May 2010
- To subscribe to the Privacy Office E-News, go to:  
<http://www.tricare.mil/tma/privacy/maillinglist.aspx>
- E-mail [Privacymail@tma.osd.mil](mailto:Privacymail@tma.osd.mil) for subject matter questions

### The HITECH Act: Privacy and Security Changes

- Health Information Technology for Economic and Clinical Health (HITECH) Act, Title XIII of Division A and Title IV of Division B of the American Recovery and Reinvestment Act of 2009 (ARRA), Pub. L. No. 111-5 (February 17, 2009)
- HITECH Act — Frequently Asked Questions:  
<http://www.tricare.mil/tma/privacy/faqs.aspx#section0>
- Privacy Office Standard Contract Language:  
<http://www.tricare.mil/tma/privacy/contractlanguage.aspx>
- E-mail [Privacymail@tma.osd.mil](mailto:Privacymail@tma.osd.mil) for subject matter questions
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### Emerging Health Information Technology in DoD

- The Department of Health and Human Services Health IT home page is located at: <http://healthit.hhs.gov/portal/server.pt>
- The latest updates regarding the NwHIN: <http://healthit.hhs.gov/portal/server.pt?open=512&objID=1142&parentname=CommunityPage&parentid=4&mode=2>
- Information on the VLER initiative is available via DoD Personnel and Readiness Information Management (P&R IM) Web site at: <https://www.mpm.osd.mil>
- DoD 6025.18-R, “DoD Health Information Privacy Regulation”, January 2003
- DoD 8580.02-R, “DoD Health Information Security Regulation”, July 2007
- To subscribe to the Privacy Office E-News, go to: <http://www.tricare.mil/tma/privacy/maillinglist.aspx>
- E-mail [Privacymail@tma.osd.mil](mailto:Privacymail@tma.osd.mil) for subject matter questions

### Breach Response

- DoD 5400.11-R, “Department of Defense Privacy Program”, May 14, 2007
- DoD 6025.18-R, “DoD Health Information Privacy Regulation”, January 24, 2003
- DoDI 8500.2, “Information Assurance (IA) Implementation”, February 6, 2003
- DoD 8580.02-R, “DoD Health Information Security Regulation”, July 12, 2007
- OSD Memorandum, “Safeguarding Against and Responding to the Breach of Personally Identifiable Information”, June 5, 2009
- TMA Incident Response Team and Breach Notification Administrative Instruction, November 5, 2009, <http://www.tricare.mil/tma/privacy/downloads/TMA-BreachResponseAdministrativeInstruction.pdf>
- Breach Response section of the Privacy Office Web site: <http://www.tricare.mil/tma/privacy/breach.aspx>
- E-mail [PrivacyOfficerMail@tma.osd.mil](mailto:PrivacyOfficerMail@tma.osd.mil) for subject matter questions
- To subscribe to the Privacy Office E-News, go to: <http://www.tricare.mil/tma/privacy/maillinglist.aspx>